

RECEIVED

JUL 17 1992

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ORIGINAL
FILE

In the Matter of)
)
Amendment of parts 2, 21, 25 and)
94 of the Commission's Rules to)
Accommodate Common Carrier and)
Private Op-Fixed Microwave in)
Bands Above 3 GHz)

RM-8004

TO: The Commission

REPLY COMMENTS OF CBS INC.

CBS Inc. ("CBS"), by its attorney, hereby submits these Reply Comments in support of the Statement of Home Box Office ("HBO Statement") on the Petition for Rule Making ("Petition") filed in the above-captioned matter by Alcatel Network Systems, Inc. ("Alcatel") on May 22, 1992. Among other things, Alcatel's Petition urges the Commission to reallocate 80 MHz of spectrum from the 3.7-4.2 GHz band for primary use by fixed microwave service users proposed to be relocated from the 2 GHz band to accommodate new telecommunications technologies in that band.¹

CBS depends on C-band communications satellites to distribute network programming to its more than 200 television station affiliates nationwide and to "backhaul" news and sports program material from remote locations in connection with the preparation

¹ Notice of Proposed Rulemaking, ET Docket No. 92-9, 7 FCC Rcd 1542 (1992).

of that network program schedule. CBS also uses C-Band transponders on a full-time and occasional basis in connection with its NewsNet service which coordinates the gathering and sharing of news material among its affiliated stations.

Not only does CBS currently depend on C-Band spectrum for its lifeblood distribution system, but we have, as the HBO Statement notes, "committed to next generation C-Band capacity for both primary network distribution and program 'backhaul' purposes."² Indeed, CBS has purchased 10 C-band transponders on Galaxy IV and VII, which are scheduled for launch in 1992 and 1993, respectively.³ Over and above this substantial full-time use of C-band spectrum, CBS expects to continue to make extensive use of "occasional" C-band service for recurring transmission needs that cannot practically be met using full-time service.

As a large present and future user of C-Band transponders, CBS supports in full the legal, factual and policy arguments set forth in the HBO Statement, which, we believe, require denial of the Petition. Underpinning the Petition's proposal to reallocate 16% of current C-band spectrum to fixed-microwave users is the proposition that C-band demand is declining and that migration of domestic satellite service to higher frequencies will speed this

² HBO Statement at 10.

³ One of the full-time transponders CBS has purchased would fall within the frequencies which Alcatel proposes to be reallocated to microwave users.

process. The purpose of these Reply Comments is simply to point up CBS's future commitment to C-band use in order to demonstrate and emphasize the point that C-Band satellites are not in the process of becoming obsolete, but, on the contrary, will remain the mainstay for domestic television distribution for the indefinite future.

Under these circumstances, and for the reasons stated in the HBO Petition, it would be unwise and unnecessary for the Commission to grant the Alcatel Petition and to begin the process of dismantling the current satellite spectrum allocation scheme.

Respectfully submitted,

CBS INC.

By 

Mark W. Johnson
1634 I Street, N.W.
Washington, D.C. 20006

July 17, 1992

Its Attorney

CERTIFICATE OF SERVICE

I, Madeline Sapienza, hereby certify that true and correct copies of the foregoing REPLY COMMENTS OF CBS INC., filed in the matter of Amendment of Parts 2, 21, 25 and 94 of the Commission's Rules To Accommodate Common Carrier and Private Op-Fixed Microwave in Bands Above 3 GHz, RM-8004, were served by First Class United States Mail, postage prepaid, this 17th day of July, 1992, on the following:

Benjamin J. Griffin
Reed Smith Shaw & McClay
1200 18th Street, N.W.
Washington, D.C. 20036

Counsel to Home Box Office

Robert J. Miller
Gardere & Wynne, L.L.P.
A Registered Limited Liability Partnership
1601 Elm Street, Suite 3000
Dallas, Texas 75201

Counsel to Alcatel Network Systems, Inc.


Madeline Sapienza